

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**


ROBERT NEEL,)	
)	
Plaintiff,)	
)	
v.)	Case No: 12-CV-572-PJC
)	
CAROLYN W. COLVIN, Acting)	
Commissioner of the Social)	
Security Administration,)	
)	
Defendant.)	

OPINION AND ORDER

On November 4, 2013, this Court reversed the decision of the Commissioner and remanded this case for further administrative proceedings under sentence four of 42 U.S.C. § 405(g) (Dkt. ##21-22). Pursuant to Plaintiff's Application for Award of Attorney Fees Pursuant to the Equal Access to Justice Act ("EAJA") (Dkt. #23) and Defendant's response (Dkt. #24), the parties have agreed that an award in the amount of \$2,374.20 in attorney's fees is appropriate based on 11.20 hours of attorney work and 3.90 hours of paralegal work performed in this case. The Court has reviewed the pleadings and finds that Plaintiff Robert Neel ("Neel") is the prevailing party and the fees sought are reasonable.

THEREFORE, IT IS ORDERED that Neel be awarded EAJA attorney fees in the amount of \$2374.20, in care of his counsel. If attorney fees are also awarded under 42 U.S.C. § 406(b) of the Social Security Act, Plaintiff's counsel shall refund the smaller award to Plaintiff pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

DATED, this 18th day of February, 2014.



Paul J. Cleary
United States Magistrate Judge